

REMARKS

Claim 4 has been objected to for the reasons set forth in paragraph 1 of the Examiner's Office Action letter. As the Examiner will note, claim 4 has been amended to eliminate the objectionable subject matter, and accordingly, it is believed that this objection has been eliminated.

Claim 1 has been rejected by the Examiner under 35 USC 102(b) as being anticipated by Albrecht, U.S. Patent 2,187,192 (hereinafter Albrecht '192). Claim 4 has been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Albrecht in view of Albrecht, U.S. Patent 2,176,698 (hereinafter Albrecht '698). Finally, claims 1-3 have been rejected by the Examiner under 35 USC 102(b) as being anticipated by Aronson, U.S. Patent 1,937,005. These rejections are respectfully traversed.

The present invention is directed to a cosmetic brush handle containing a transparent handle which is adapted to house a transparent receptacle which contains a variety of different types of patterns which are interchangeable and which can be viewed through the transparent handle. Advantageously, the receptacle can be surrounded by or disposed in the hollow brush handle creating a magnification of the patterns disposed in the receptacle. In addition, if the receptacle is not used, the patterns can be merely suspended and permitted to flow freely within the oral disposed within the transparent handle, creating constant movement of the patterns therein.

Although both of the Albrecht patents appear to show a transparent handle which is adapted to receive inserts containing indicia which can be read through the transparent portion of the handle, the handles disclosed by the references are in connection with various types of tools

and as such, are not even remotely related to a cosmetic brush as defined by the present invention. In any event, as the Examiner will note, claim 1 has been amended to include the subject matter of claim 2 and corresponding claim 2 has been cancelled from the present application. Thus, claim 1, as amended, now contains the additional language wherein the hollow transparent member contains an oil so that the display pattern is visible through an oil interface. Although the Examiner argues that the Aronson reference can contain soap, which the Examiner considers to be an oil, for feeding the head of the shaving brush 17, it is believed that this argument fails to recognize the Applicant's inventive contribution since the Aronson patent does not even contemplate the use of a display pattern suspended in the liquid soap disposed in the handle. Although the capsule or refiller 35 may be made of any suitable transparent material, the patentee also states that it is possible to use a non-transparent material and to provide a cap 20 and manipulative members 23 with scale marks or the like to indicate the amount of soap in the handle. Thus, the reference patent does not even remotely contemplate the use of a transparent handle for display purposes.

As stated hereinabove, claim 1 has been amended to contain subject matter of claim 2 and correspondingly, claim 2 has been cancelled from the present application. In addition, claim 5 has been added to the present application, claim 5 being directed to a substantially hollow transparent cosmetic handle which does not contain a receptacle for housing the display pattern but rather the display patterns are suspended directly in an oil which is housed by the substantially hollow transparent member. It is believed that none of the references relied upon by the Examiner, either alone or in combination, suggest a cosmetic brush which contains a

Application No. 10/671,441
Amendment dated November 7, 2005
Reply to Office Action of August 5, 2005

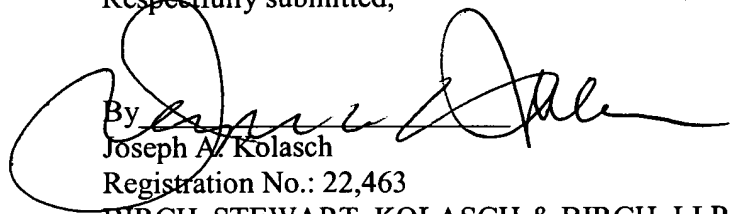
Docket No.: 4653-0102P

transparent hollow handle in which an oil is directly disposed for receiving various types of display patterns.

Accordingly, in view of the above amendments and remarks reconsideration of the rejections and allowance of all of the claims of the present application are respectfully requested.

Dated: November 7, 2005

Respectfully submitted,

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